IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

WEDNESDAY, THE 5TH DECEMBER 2007 / 14TH AGRAHAYANA 1929

Bail Appl..No. 7481 of 2007()

CMP.3148/2007 of J.M.F.C., MANNARKAD
CRIME 727/07 OF MANNARKAD POLICE STATION

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: ACCUSED NO. 1 TO 3:

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1. SINEESH, S/O.GEORGE, 26 YEARS,
   VIZHAMALAYIL HOUSE, PALLIKURUP, MANNARKAD.

2. CHANDRAN @ CHEROOTY, S/O.KUNHAN,
   26 YEARS, PARIYANI HOUSE, PALLIKURUP,
   MANNARKAD.

3. PRADEEP, S/O.AYYAPPAN, 23 YEARS,
   CHULLIMUNDA COLONY, PALLIKURUP,
   MANNARKAD.

BY ADV. SRI.MANSOOR.B.H.

RESPONDENTS: COMPLAINANT AND STATE:

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1. STATION HOUSE OFFICER,
   MANNARKAD POLICE STATIO, REP. BY PUBLIC
   PROSECUTOR, HIGH COURT OF KERALA, ERNAKULAM.

2. STATE OF KERALA, REP. BY PUBLIC
   PROSECUTOR, HIGH COURT OF KERALA,
   ERNAKULAM.

BY PUBLIC PROSECUTOR ADV.SRI.GIKKU JACOB

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 05/12/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R. BASANT, J.

B.A. No. 7481 OF 2007 E

Dated this the 5th day of December, 2007

O R D E R

Application for regular bail. The petitioners are accused 1 to 3. Altogether there are 3 accused persons. The alleged incident took place on 9.11.07. The petitioners were arrested on 12.11.07. They continue in custody from that date. They face allegations having committed offences punishable, inter alia, under Sections 324 and 307 IPC.

2. There was bitter animosity between the de facto complainant and the petitioners. On account of such animosity, on 9.11.07, with broken beer bottle, the de facto complainant was allegedly attacked by the petitioners. Tell-tale injuries are seen suffered by the victim.

3. The learned counsel for the petitioners submits that the investigation has advanced considerably. The petitioners may now be granted regular bail, it is prayed.

4. The learned Public Prosecutor does not oppose the application on condition that the investigating officer is granted 14

days' further time to complete the investigation and I am satisfied that regular bail can be granted to the petitioners subject to appropriate conditions.

5. In the result, this petition is allowed. The petitioners shall be enlarged on bail on the following terms and conditions:-

i) The petitioners shall not be released on bail on the strength of this order prior to 19/12/2007. The investigating officer shall, in the meantime, make every endeavour to complete the investigation.

ii) The petitioners shall execute bonds for Rs.50,000/- (Rupees fifty thousand only) each with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate.

iii) The petitioners shall make themselves available for interrogation before the investigating officer between 10 a.m and 12 noon on all Mondays and Fridays for a period of three months from the date of their release and thereafter as and when directed by the investigating officer in writing to do so.

(R.BASANT, JUDGE)

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